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Atty. Dkt. No. 026032-4896

Amendments to the Drawings:

The drawing sheets attached in connection with the above-identified application containing Figures 1-8A are presented herein.

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REMARKS

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The Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the remarks that follow. This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-5, 7 and 15 have been cancelled.

Claims 6, 8-10, 12, 14, 16-18 and 20 are currently being amended.

Claims 22-25 are being added.

Claims 22-25 have been added. The original application as filed is relied upon for support. No new matter has been added. After amending the Claims as set forth above, Claims 6, 8-14, and 16-25 are now pending in this Application.

Specification and Drawings

The Applicants respectfully assert that the drawings submitted with this Amendment rectify the Examiner's objection to the Specification and Drawings under 37 C.F.R. § 1.81(c) and the Applicants request withdrawal of these objections. As indicated in my voice message of Monday, July 17, 2006, this Application is a National Phase of International Application No. PCT/JP2003/009452. The Drawings for this Application correspond to the drawings of PCT/JP2003/009452, which was incorporated by reference in its entirety into the present Application. The Drawings are attached hereto.

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Claim Rejections - 35 U.S.C. § 102(b)

In Items 3-5 of the Official Action, claims 6-8, 12-16, and 20-21 were rejected under 35 U.S.C. § 102(b) as being anticipated by De Filippo (U.S. Patent No. 5,700,057). For a rejection to be proper under 35 U.S.C. § 102(b), every element and limitation found in the rejected claim must be found in the 102(b) reference. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, §14F.2d628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *See also*, MPEP §2131.

Amended Claim 6 recites a headrest including "a headrest main body rotatably coupled to the horizontal portion of the stay and including a hollow receiving port for receiving the horizontal portion of the stay therein... [and] a foaming material covering the horizontal portion of the stay and the bracket... wherein the hollow receiving port abuts the horizontal portion of the stay and the foaming material." The Applicants respectfully submit that the De Filippo reference shows a tubular housing 7. The tubular housing 7 is integrally formed with a lower portion of a supporting framework 3. The device disclosed in the De Filippo reference does not include a "receiving port" or that "the receiving port abuts the horizontal portion of the stay and the foaming material" as recited in Claim 6. For a rejection to be proper under §102(b) every element and limitation found in the rejected claim must be found in the reference. Accordingly, the Applicants request withdrawal of the rejection of Claim 6.

Claims 6-8, 10-12, 14-16, and 18-20 were also rejected under 35 U.S.C. § 102(b) as being anticipated by Nagayasu et al. (U.S. Patent No. 5,660,441). Again, amended Claim 6 recites a headrest including "a headrest main body rotatably coupled to the horizontal portion of the stay and including a hollow receiving port for receiving the horizontal portion of the stay therein... [and] a foaming material covering the horizontal portion of the stay and the bracket... wherein the hollow receiving port abuts the horizontal portion of the stay and the foaming material." The Applicants respectfully submit that the Nagayasu et al. reference discloses a pair of slits 25a formed on a headrest pad 25. Nagayasu et al. do not disclose a hollow receiving port as recited

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in Claims 6 and 14. For a rejection to be proper under §102(b) every element and limitation in the claim must be disclosed in the reference. Accordingly, the Applicants respectfully submit that the Nagayasu et al. reference fails to anticipate the claimed subject matter. For at least these reasons, the Applicants respectfully request withdrawal of the rejection and allowance of amended Claims 6, 14 and their dependents.

The Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephonic interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date

Jul 21, 2007
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By

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